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REMARKS

This is a full and timely response to the non-final Official Action mailed 23 February 2005. Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

By the forgoing amendment, various claims have been amended. Additionally, new claims 47-52 have been added, and original claims 25-30 and 41-46 have been cancelled. Thus, claims 1-24, 31-40 and 47-52 are currently pending for the Examiner's consideration.

§ 112, Second Paragraph:

The outstanding Office Action rejected claims 26-30 under 35 U.S.C. § 112, second paragraph. This rejection is rendered moot by the cancellation herein of the affected claims.

Claim Objections:

Claims 26, 32 and 40 were objected to due to minor informalities. The objection to claim 26 is rendered moot by the cancellation herein of claim 26.

Claims 32 and 40 have been amended herein to correct the informalities noted. These amendments are not intended to, and do not, alter or narrow the scope of either claim. Following entry of this amendment, claims 32 and 40 are thought to be no longer subject to objection and notice to that effect is respectfully requested.

Prior Art:

With regard to the prior art, claims 1, 2, 4-7, 9-11, 13, 14, 16-19, 21-23, 25, 26, 28-33 and 35-44 are rejected as anticipated under 35 U.S.C. § 102(b) by Meier et al. For at least the following reasons, this rejection is respectfully traversed.

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Claim 1 recites:

A micro-mirror device comprising:
a micro-mirror; and
a flexure spring supporting said micro-mirror;
wherein said flexure spring is configured to store potential energy during movement of said micro-mirror that is released as kinetic energy to drive movement of said micro-mirror when said micro-mirror is re-oriented.
(emphasis added).

Claim 13 recites:

An array of micro-mirrors comprising:
a plurality of micro-mirrors; and
a flexure spring supporting each said micro-mirror;
wherein each said flexure spring is configured to store potential energy during movement of a corresponding micro-mirror that is released as kinetic energy to drive movement of said corresponding micro-mirror when said corresponding micro-mirror is re-oriented.
(emphasis added).

Claim 31 recites:

A spatial light modulation device comprising:
a micro-mirror; and
a pliant flexure supporting said micro-mirror, said flexure having a bias;
wherein said flexure stores energy due to said bias in response to any re-positioning of said micro-mirror away from a default orientation; and
wherein said flexure releases said stored energy to drive movement of said micro-mirror when a force against said bias is relaxed.
(emphasis added).

In contrast, Meier does not teach or suggest a flexure spring *supporting* a micro-mirror. Referring to Figs 4-7 of Meier, the only element of Meier that could qualify as a “flexure spring” is the “spring” (328). This spring (328) surrounds a “rigid” yoke (314) (Meier, Abstract) and is supported on a torsion beam (320) attached to the yoke (314).

However, the spring (328) does not support the micro-mirror. The micro-mirror is supported on the rigid yoke (314) by a support spacer (326). The micro-mirror and spring do not even have any contact, as shown in Figs. 5-7, unless the mirror is deflected by more

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than a minimal amount. Thus, it cannot reasonably be said that the spring (328) of Meier supports the micro-mirror as claimed.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. For at least this reason, the rejection of claims 1-24 and 31-40 should be reconsidered and withdrawn.

Claim 2 recites:

The device of claim 1, wherein said flexure spring comprises:
a post;
a flexure supported on said post; and
supports on said flexure attached to and supporting opposite corners of said micro-mirror.
(emphasis added).

Claim 14 recites similar subject matter.

In contrast, Meier does not teach or suggest supports on a flexure of a flexure spring that are attached to and supporting opposite corners of a micro-mirror. For at least this additional reason, the rejection of claims 2 and 14 based on Meier should be reconsidered and withdrawn.

Claim 9 recites that: "said flexure runs diagonally between opposite corners of said micro-mirror." Claims 21 and 37 recite similar subject matter.

In contrast, the spring (328) of Meier does not include a flexure that runs diagonally between opposite corners of a micro-mirror. With reference to Meier's Fig. 4, the spring (328) is attached to and supported on two supports (116). Consequently, the portions of the

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spring (328) over the supports (116) are rigid and do not flex. The "flexure" of the spring (328) is represented by the ears (330) on opposite sides of the rigid yoke (314).

With this understanding of Meier, it becomes clear that Meier does not teach or suggest a flexure that runs diagonally between opposite corners of a micro-mirror as claimed. For at least this additional reason, the rejection of claims 9, 21 and 37 should be reconsidered and withdrawn.

Claims 3, 15, 27 and 34 were rejected as unpatentable under 35 U.S.C. § 103(a) over the combined teachings of Meier and U. S. Patent No. 5,066,084 to Culp. Claims 8 and 20 were rejected under § 103(a) over the combined teachings of Meier and U.S. Patent No. 6,633,426 to Shrauger et al. Claims 12 and 24 were rejected under § 103(a) in view of the teachings of Meier taken alone.

These rejections are respectfully traversed for at least the same reasons given above with respect to the independent claims of the application. Therefore, reconsideration and withdrawal of these rejections is respectfully requested.

Conclusion:

The newly-added claims are also thought to recite subject matter that is not taught or suggested by the prior art of record. Specifically, new claim 47 and its dependent claims are thought to be patentable over the cited prior art for at least same reasons as given above with respect to claims 1 and 2. Therefore, examination and allowance of new claim 47 and its dependent claims is respectfully requested.

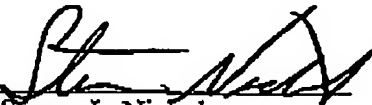
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For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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